

### REMARKS

The below remarks are responsive to the Non-Final Office Action dated April 16, 2010. Claims 1-35 are pending in the application. In the Office Action, claims 1-35 were rejected under 35 U.S.C. § 251 as being based upon a reissue declaration that failed to comply with 37 C.F.R. §1.175. In view of the remarks below, applicant respectfully requests reconsideration of the application under 37 C.F.R. § 1.111 and allowance of the pending claims.

Applicant thanks Examiner Andrew Gilbert for his telephone message of July 13 2010 to attorney Gillian Bunker (Reg. No.47,461), in which he indicated that the following language was sufficient to satisfy the requirements of 37 C.F.R. §1.175:

At least one error being relied upon to support the reissue application is original claim 16's claiming of a "plug member in a captive second position allowing communication of medication to said orifice," without claiming the specific structure that allows the communication.

Applicant submits a newly executed reissue declaration. Accordingly, the rejection of claims 1-25 should be withdrawn.

Applicant believes that the present application is now in condition for allowance, in view of the above remarks and submission of the reissue declaration. Application respectfully requests that the Examiner issue a Notice of Allowability covering the pending claims.

If the Examiner has any questions, the Examiner is invited to contact the undersigned at (503) 796-2424. Please charge any shortages and credit any overages to Deposit Account No. 500393.

Respectfully submitted,

**CERTIFICATE OF ELECTRONIC  
TRANSMISSION**

I hereby certify that this correspondence is being filed electronically via the EFS-Web system at [www.uspto.gov](http://www.uspto.gov) on July 16, 2010.

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